

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 99-1605

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Carolyn Hunter,

Appellee,

v.

Wal-Mart Stores, Inc., Associates  
Health and Welfare Plan,

Appellant.

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\* Appeal from the United States  
\* District Court for the Eastern  
\* District of Arkansas.  
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\* [UNPUBLISHED]  
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Submitted: December 13, 1999

Filed: January 24, 2000

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Before BEAM, HEANEY, and HANSEN, Circuit Judges.

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PER CURIAM.

Carolyn Hunter was an employee of Wal-Mart and a participant in Wal-Mart's Associates Health and Welfare Plan ("the Plan"), an employee benefits plan subject to the Employee Retirement Income Security Act ("ERISA"). See 29 U.S.C. §§ 1001-1461. In March 1997, Hunter underwent an abdominal hysterectomy and submitted claims for medical expenses related to the procedure to the Plan. Her claims were denied. After exhausting her administrative remedies, Hunter filed this action in federal

district court pursuant to 29 U.S.C. § 1132(a)(1)(B), the section of ERISA authorizing a civil suit by a plan beneficiary.

The district court<sup>1</sup> overturned the decision of the Plan's Administrative Committee and entered judgment in favor of Hunter for all medical benefits payable as well as attorney's fees and costs in the amount of \$6,277. 44. The Plan appeals this decision.<sup>2</sup> Having carefully reviewed the parties' briefs and the record on appeal, we conclude that the district court's decision was correct. Because we believe that an extended discussion of the parties' claims would serve no useful precedential purpose, we affirm the judgment of the district court without further discussion. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

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<sup>1</sup>The Honorable George Howard, Jr., United States District Judge for the Eastern District of Arkansas.

<sup>2</sup>Hunter also filed a cross-appeal in this matter, but later moved to dismiss it. The cross-appeal was dismissed pursuant to Federal Rule of Appellate Procedure 42(b).